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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/694,340

10/27/2003

Matt Dunn

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THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP
100 GALLERIA PARKWAY, NW
STE 1750
ATLANTA, GA 30339-5948

EXAMINER

CHAU, MINH H

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/694,340

Applicant(s)

DUNN ET AL.

Examiner

Minh H Chau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 3-5, 9, 10, 13-16, 18 and 19 is/are rejected.
- 7) ☒ Claim(s) 6-8, 11, 12 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/27/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 3-5, 9, 10, 13-15, 18 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lieberman (Pub. No. US 2002/0130104 A1) in view of D'Amato et al. (US # 4,933,120)

With respect to **claims 3, 18 and 19**, Lieberman teaches a printing method comprising the steps of providing a web (40) for a web-fed flexographic printing process (paragraph [0014]), the web having a holographic image or a micro-optic structure (19) and an eye mark (42), the micro-optic structure being located at a predefined position on the web, the eye mark being located at a fixed position on the web with reference to the predefined position of the micro-optic structure, determining the speed or a feed rate for the web-fed flexographic printing process, the feed rate being determined using the eye mark, feed the web at the determined feed rate and the printing station (6) for provide printing as a normal operation (see Figs. 1-2 and paragraphs [0014-28] of Lieberman).

Lieberman teaches all the limitation as explained above, except for the limitation of "overprinting a layer onto the surface of the web" (claims 3, 18 and 19).

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D'Amato et al. teach a printing method comprising overprinting a layer onto the surface of the web (see cols. 3-4 of D'Amato et al.)

In view of this teaching, it would have been obvious to one of skill in the art to modify the method of Lieberman to include a method of overprinting a layer onto the surface of the web as taught by D'Amato et al. for that advantage of allowing information can be print on the surface of the web.

With respect to **claim 4**, see Fig. 2 and paragraph [0032] that teach the step of providing a holographic sheet having a hologram, the hologram being located at a predefined position on the holographic sheet.

With respect to **claim 5**, see Fig. 3 and paragraph [0032] that teach the step of providing a holographic sheet comprises the step of embedding a micro text or a security feature in the web.

With respect to **claims 9 and 10**, see Fig. 3 and paragraph [0032] that teach the step of providing a micro text, microprint or nanoprint of a predefined pattern in the holographic sheet.

With respect to **claim 13**, see paragraph [0024] of Lieberman that teach the steps of detecting the eye-mark (42) generating a feedback signal in response to detecting the eye-mark; determining whether to adjust the feed rate. With respect to the recitation "adjusting the feed rate in response to determining that the feed rate is to be adjusted, otherwise maintaining the feed rate". The computer program as taught by Lieberman control the feed rate of the web depending upon the registration information of the sensor (paragraph [0024]). In view of this teaching, it is clear to one of skill in the art that the control feed rate of the web that taught by Lieberman meet the

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recitation of "adjusting the feed rate in response to determining that the feed rate is to be adjusted, otherwise maintaining the feed rate" as recited in claim 13.

With respect to **claim 14**, see paragraph [0024] of Lieberman that teach the step of adjusting the feed rate comprises the step of altering a speed of a feed motor.

With respect to **claim 15**, see paragraph [0024-0028] of Lieberman that teach the registered location being a fixed position with reference to the location of the eye-mark and the combined method of Lieberman and D'Amato et al. teach overprinting the layer at a registered location on the web.

3. **Claim 16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Lieberman and D'Amato et al. as explained to claims 3-5, 9, 10, 13-15, 18 and 19 above, and in view of Van Weverberg et al. (US # 5,951,182).

The combined method of Lieberman and D'Amato et al. teach all the limitation as explained above, except for the recitation of "die cutting the web".

Van Weverberg et al. teach a printing method comprising the steps of die cutting the web (24) into sheets (42) (see col. 5, lines 50+ of Van Weverberg et al.)

In view of this teaching, it would have been obvious to one of skill in the art to modify the printing method of Lieberman and D'Amato et al. to include the step of die cutting the web as taught by Van Weverberg et al. to allow the web with printed information of image can be cut into a sheet of desired length.

Allowable Subject Matter

4. **Claims 6-8, 11-12 and 17** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

Claim 6 has been indicated for allowance because the prior art fails to teach the entire combination of a printing method including the step of embedding a security feature in the web comprises the step of embedding a three-dimensional stereogram into the hologram.

Claim 7 has been indicated for allowance because the prior art fails to teach the entire combination of a printing method including the step of embedding a marking in the holographic sheet, the marking being configured to project a predefined image in response to the marking being irradiated by a laser.

Claim 8 has been indicated for allowance because the prior art fails to teach the entire combination of a printing method including the step of embedding a holographic image in the holographic sheet, the holographic image being configured to alter its visual appearance when viewed at different angles.

Claims 11 and 12 have been indicated for allowance because the prior art fails to teach the entire combination of a printing method including the step of embedding a security feature in the web comprises the step of printing a unique serial number on the web.

Claim 17 has been indicated for allowance because the prior art fails to teach the entire combination of a printing method including the step of die cutting the web comprises the step of generating identification tags.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Applicant's attention is invited to the patents to Kaule (US # 5,817,205) and Hertel et al. (US # 6,053,107)

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh H Chau whose telephone number is (571) 272-2156. The examiner can normally be reached on M - TH 9:30AM - 8:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MHC
January 08, 2005


MINH CHAU
PRIMARY EXAMINER